

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOEL VALERA,

Petitioner,

v.

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Respondent.

Case No. 1:22-cv-00852-ADA-CDB (HC)

ORDER DIRECTING CLERK OF COURT TO
SEND PETITIONER A COPY OF THE
COURT'S ORDER TO SHOW CAUSE AND
ORDER FOR PETITIONER TO RESPOND

30-DAY DEADLINE

(Doc. 11)

Petitioner Joel Valera ("Petitioner") is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. 1). The petition seeks review of a judgment of conviction in the Superior Court of California for the County of Fresno. *Id.*

On November 23, 2022, Petitioner filed a first amended petition for writ of habeas corpus. (Doc. 10). On December 19, 2022, the Court issued an order to show cause why the first amended petition should not be dismissed for failure to name a proper respondent and failure to exhaust state remedies. (Doc. 11). Petitioner was provided 30 days to respond to the Court's order. *Id.* at 3. Plaintiff did not file a response to the order to show cause, and the deadline to do so has passed.

On February 3, 2023, the Court received notice Petitioner's address changed to CSP-SAC P.O. Box 290066, Represa, CA 95671-0066 pursuant to a new case Petitioner filed on January 31, 2023. *See Valera v. Vasquez*, No. 2:23-cv-00191-EFB. Petitioner did not file a notice of change of address

1 with this Court as required by Local Rule 182. L.R. 182(f); *see Penton v. Hubbard*, No. 2:11-cv-0518
2 TLN KJN P, 2022 WL 411852, at *25 (E.D. Cal. Feb. 10, 2022) (it is a prisoner's responsibility to file
3 a notice of change of address when his address changes) (citation omitted).

4 Given the proximity in time between the Court's issuance of the show cause order and
5 Petitioner's change of address, the Court finds good cause to extend the time for Petitioner to respond.
6 Accordingly, the Court HEREBY ORDERS:

7 1. The Clerk of Court is directed to send Petitioner a copy of the Court's order to show cause
8 (Doc. 11) to his updated address, CSP-SAC P.O. Box 290066, Represa, CA 95671-0066; and

9 2. Petitioner shall have 30 days from the date of this order to respond to the Court's order to
10 show cause.

11 Petitioner's failure to comply with this order will result in a recommendation that this action be
12 dismissed.

13 IT IS SO ORDERED.

14 Dated: February 9, 2023

15 
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27
28